

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
February 13, 2006 – 7:00 PM**

**PRESENT:**      Cliff Pratt, Vice-Chairman  
                 Rick Griffin  
                 Ben Moore  
                 Virginia Bridle-Russell  
                 James S. Barrington, Town Manager  
                 Maureen Duffy, Administrative Assistant

**REGRETS:**      Jim Workman, Chairman

**Vice-Chairman Cliff Pratt called the meeting to order at 7:00 pm and introduced those in attendance.**

**SALUTE TO THE FLAG** – Vice-Chairman Cliff Pratt led the audience in the salute to the flag.

**PUBLIC HEARING  
CONSERVATION COMMISSION – COASTAL PROGRAM GRANT APPLICATION**

Hampton Conservation Commission representative, Jay Diener addressed the Board of Selectmen. Mr. Diener said that the purchase of the Ice Pond Property fits within the objectives of the Hampton Master Plan. He explained that the Ice Pond is an important component for environmental preservation in Hampton. The Pond plays an important role for watershed, wildlife habitat and recreation. There would be 25.53 contiguous acres with the purchase of the Ice Pond. The protection of the Ice Pond and the woodlands surrounding the pond is consistent with the spirit of the Hampton Master Plan.

It is anticipated that the Ice Pond parcel of land will be on sale this spring. The tax valuation of the property is approximately \$450,000. Mr. Diener believes that the market price would be in the \$750,000 range. The Conservation Commission has allocated \$150,000 from its Conservation Land Fund for the purchase of the Ice Pond. In addition the Commission has a warrant article on the 2006 Town ballot requesting the voters' support raising and appropriating up to the sum of \$100,000 to use as matching funds to purchase all or part of the property of the historically important Ice Pond. Part of the Article also includes the Commission seeking funding through outside sources to assist in the purchase of the property. The Commission has applied for funds through the New Hampshire Coastal Program. The Conservation Commission believes that the project would be eligible for funding under the guidelines and they have applied for the maximum amount of \$50,000. Mr. Diener asked the Board for their approval in accepting the funds when the application for funding is successful.

**Mr. Moore MOTIONED** to accept up to \$50,000 from the Coastal Grant program for the purchase of the Ice Pond.  
**Mr. Griffin SECONDED.**

**VOTE: UNANIMOUS FOR**

## **I. ANNOUNCEMENTS AND COMMUNITY CALENDAR**

Mr. Pratt wished Hampton residents a happy Valentines Day.

## **II. APPOINTMENTS**

### **1. CHARLIE PRESTON – PUBLIC SAFETY PIER**

Mr. Preston addressed the Board of Selectmen and asked them to consider the outcome of Article 28 (the fire rescue boat). He expressed his concern about the cost of constructing a pier for the fire rescue boat that will cost approximately \$500,000. Mr. Preston believes that the money obtained to construct the pier came from a Home Land Security Grant. He said that the grant will assist in building the pier but not the maintenance of it. He would like the Board of Selectmen to keep the costs of maintaining the boat and the pier in mind when making future decisions. He said that he does not see a need for the Town to be in the business of rescuing people in the ocean when it is the job of the Coast Guard.

Mr. Preston encouraged the Board to stop the construction of the pier if Article 28 fails. He also suggested that the Town negotiate the ownership of the pier with government officials. Mr. Preston also suggested that Hampton return the funding to the federal government to support hurricane Katrina victims.

Mr. Preston said that each summer surfers, life guards, jet skiers rescue people at Hampton Beach. He said that the voters will decide on the fate of the boat on March 14.

Mr. Moore responded to Mr. Preston by saying that the Town Manager has negotiated a memorandum of agreement with the New Hampshire Department of Safety – Marine Patrol. The State has agreed to take over operating the pier at no cost to the Town, if Hampton decides to get out of the marine business.

Mr. Moore suggested that the Town consult with DRED to see what their plans are with lifeguards and equipment that would assist in surf rescue situations.

Mr. Barrington said that the money is a direct appropriation that is being administered through National Oceanic Atmospheric Administration (NOAA) rather than Homeland Security.

## **III. OLD BUSINESS**

### **1. TOWN MANAGER'S REPORT**

Superintendent Gaylord informed Mr. Barrington that the SAU has ordered two flashing lights for the new Winnacunnet High School (WHS) entrance along Winnacunnet Road. He also checked to see that Appledore Engineering is acceptable to the Town as the engineer to do the design drawings for the work on the road and intersections. Mr. Barrington told Mr. Gaylord that Appledore is acceptable to the Town.

Mr. Barrington had copied an email to the Board that he received from Dick White concerning the use of Appledore Engineering for the construction work on the Winnacunnet – Park intersection, and on the installation of the flashing school zone signs. The school is looking for the Town's approval before proceeding. Mr. Barrington suggested that the Town schedule a public hearing in order to amend the school zone ordinance to say "When

Flashing” instead of the recitation of effective hours. That could take place any time the Board wishes with an effective date of the ordinance upon installation and operation of the flashing lights.

The Town Office received another abutters notice on the property at 31 Park Avenue that is seeking to subdivide into two lots. The Zoning Board of Adjustment (ZBA) instructed the property owner to come back with a plan that makes it clear that they may **only** have access on Park Avenue and NOT from Lafayette Road.

Frank Swift received a request from Ralph Fatello, Commander of American Legion Post 35, regarding the Veterans’ monuments in front of the old courthouse. Mr. Barrington then talked with Mr. Fatello, who indicated that the American Legion would like to know if the monuments can be moved to the Veterans’ Park in the High Street Cemetery. Mr. Barrington contacted John Holman to see if the history and original ownership of the monuments can be determined.

Mr. Barrington included a few conceptual plans in the Selectmen packets that have been generated for the potential uptown fire station. The version that was on the cover of the report presented by the Fire Chief at the deliberative session had been prepared by the architect in response to Chief Lipe’s request that he do a conceptual drawing addressing concerns that were presented at the Budget Committee’s public hearing. Mr. Barrington made it clear that no plan has been approved by the Board of Selectmen, but that several conceptual plans have been prepared for consideration.

Mr. Barrington reported on the response to the Board of Selectmen’s concerns about the condition of the streets in the main beach construction area. Zoppo has brought in additional equipment to try to keep the streets passable for local residents. This afternoon Mr. Barrington drove along several of the lettered streets to verify their condition. He noted no unusual conditions for an unpaved road and had no difficulty in traveling over them.

The Town paid the January bill for Sheehan Phinney, Bass & Green last week. The total was \$10,838.42.

Public Works Director John Hangen and Mr. Barrington will be meeting with the New Hampshire Department of Environmental Services (NHDES) officials in Concord on Thursday afternoon. Mr. Barrington will be in Concord most of the day on Friday. The Municipal Advocacy Committee is meeting in the morning and the New Hampshire Municipal Management Association’s monthly meeting is at noon.

Warren Bamberry provided Mr. Barrington with some information about the Route 1 Corridor Study meetings. On Wednesday, February 15, the Public Information Meeting will be in the Hampton Falls Town Hall at 1 Drinkwater Road, and on Thursday, February 16, it will be at the Portsmouth City Hall at 1 Junkins Avenue. Both meetings start at 7:00 PM and all citizens are invited to attend.

The audited financial report has arrived at the Town office. Mr. Barrington said that there is a note in the auditors report expressing an adverse opinion on the Town’s financial statements that specifically relates to the fact that the Town is not Government Accounting Standards Board (GASB) 34 compliant. In addition there was an error at the time the Town was setting the tax rate which overstated revenues by the amount of the federal grant received by the Town for the purchase of the Hurd Farm Easement. The amount of the grant was approximately a million dollars. The error resulted in the Town withdrawing an extra million dollars from the fund balance to off set the tax rate. Therefore tax payers got a 40¢/\$1000 tax break this year. Consequently the fund balance was drawn down to about \$330,000 after the additions went back into the fund balance.

Mr. Barrington said that he heard a rumor today that the budget was overspent. He clarified this rumor by saying that it is not true. In fact the Town has under spent the budget by approximately \$200,000. Some departments had overspent their budgets but the Town budget itself was not.

Mr. Barrington said that some citizens have asked if the Town could have avoided laying off firefighters. He said, yes the Town could have kept fire fighters however; a policy decision was made that impacted the fire department as well as other departments. Mr. Barrington emphasized that during the year it is uncertain where the financial position will end up and that this year's spending was no different from previous years. The Town spent about 98% of the total appropriation.

Mr. Barrington encouraged residents to review the audit in the Town report and on the website. He said that the Town's fiscal management is sound.

### **Selectmen's Response to the Manager's Report**

Mr. Moore explained that the reason why the Town is not compliant with the Government Accounting Standards Board (GASB) 34 is because of the cost involved. It costs approximately \$7,000 to \$12,000. He said that the Town should implement this accounting standard immediately to prevent future adverse audit reports.

Mr. Moore said that during a public hearing for the spur road there was discussion on grant availability for flashing lights. He was curious to whether any of this information has been confirmed and if it may be available for other schools in Town.

Mr. Moore asked about amending the ordinance for the flashing lights. Mr. Barrington said that is something that can be considered.

Mr. Moore commented on the proposed uptown fire station design plans that were included in the Board of Selectmen's packets. He asked if it is the job of the voters to authorize the \$1.7 million to expand and update the station and that the Board of Selectmen to decide on the structure design. Mr. Barrington said that it is the responsibility of the Board of Selectmen to decide on the design.

Mr. Moore asked if the expenses for Sheehan Phinney, Bass & Green were for arbitration. Mr. Barrington said that the expenses covered all lawsuits that were labor related.

Mr. Griffin said that residents are still complaining about the street conditions in the beach area. Mr. Barrington spoke with Zoppo last week and Dick Viollette had also talked to the company about keeping the roads in better condition and that it was part of their contractual agreement. Zoppo assured the Town Manager that they were going to bring in more equipment to keep the roads passable. Mr. Barrington said that he drove along several of the lettered streets and he had no problem driving these streets in his personnel vehicle. He said that the roads were in much better condition than they were a few weeks ago. Mr. Griffin reported that there was a big hole along Tuttle Avenue and that it was not properly marked. Mr. Barrington said that Zoppo usually puts a metal plate over holes and uses flashing lights to indicate caution. Mr. Barrington will look into the matter. Mr. Griffin suggested that the Town Manager continue to stay on top of the road conditions as it is creating a lot of animosity.

Mrs. Bridle-Russell said that the Board of Selectmen should decide on a design for the fire station before the voters go to the polls. Mr. Barrington said that Article 6 acknowledges the need for an up to date fire station. Mr. Barrington said that if the Board of Selectmen would like to decide on a station design before March 14 they can do that. The plan that was presented at the Deliberative Session incorporated the administrative office to the west because of comments from the neighbor to the east at the Budget Committee's public hearing. Mrs. Bridle-Russell said that the Board needs to be very precise and clear when dealing with this article so that voters know what they are voting on.

Mr. Pratt suggested that it is made clear to the voters that the proposed fire station plans are conceptual and that the Board of Selectmen will make the final decision.

Mr. Moore recommended that the Board consider hosting a public hearing in regards to the fire station.

#### Board Consensus – Winnacunnet Road Improvements

Hampton Board of Selectmen came to the consensus to accept the Winnacunnet High School Board's proposal to use Appledore Engineering Company for the road work design and construction as well as the School Zone Traffic Signals from the Electric Light Company.

## **2 - WARRANT – CONSIDER RECOMMENDATIONS**

Mr. Barrington said that the Board of Selectmen did not meet after the Deliberative Session. The Session went late and many of the Selectmen had other obligations. For that reason the Board did not have a quorum.

**Mr. Moore MOTIONED** to amend the consideration for the budget article (Article 10) from "not" recommended to recommended. **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

## **IV. NEW BUSINESS**

Mrs. Bridle-Russell asked about the special revenue fund for recreation. She noted that the Town spent more than \$21,000 which is acceptable for a special revenue fund. Mrs. Bridle-Russell was wondering if the recreation department should offer special programs for citizens and senior citizens. Mr. Barrington said that more free programming was offered in 2005 and some additional expenses were charged against this fund. In past years some programs have been more popular than others.

Mrs. Bridle-Russell said that public transportation is a major concern in the seacoast area especially for senior citizens. She questioned if there are grants available for the Town recreation bus to provide this service. Mr. Barrington said that in the past the Town did not want to do that however, if there is transportation funding available, it may be something the Board may want to consider. Mr. Barrington said that he will have the Recreation Director look into the various funding options. A transportation service that enables senior citizens to attend Town events would be a feature that many would take advantage of.

Mr. Moore asked if the Board should consider sending postcards to dog owners, reminding them to license their dogs. Mr. Barrington said that last year's decision was based on the default budget. Mr. Barrington will talk to the Town Clerk to see if this is feasible. Mr. Moore suggested that this may take some pressure off later in the year.

Mr. Moore commented on the EMS fund revenues which are down this year. It appears to him that revenues are down to the 2001 revenue level. Mr. Barrington said that the largest piece of that turned out to be charge offs for old bad debt. Mr. Moore said that there was a reserve for that so it should have had an impact on revenues. Mr. Barrington will look into this matter.

Mr. Barrington reminded residents that their automobile registration will be expiring at the end of the month and the Town is not sending out reminder notices for February renewals.

Mr. Pratt announced that parking and loading zones will be discussed at the Board of Selectmen's meeting on February 27.

It was the consensus of the Board not to have a meeting on February 20<sup>th</sup> as it is Presidents Day.

#### **V. MINUTES JANUARY 30, 2006**

**Mr. Moore MOTIONED** to accept the January 30, 2006 minutes as presented. **Mrs. Bridle-Russell SECONDED.**  
**VOTE: UNANIMOUS FOR**

#### **VI - CONSENT AGENDA**

1. Parade License for the American Diabetes Association Tour de Cure, on May 7.

**Mr. Moore MOTIONED** to accept the consent agenda. **Mr. Griffin SECONDED.**  
**VOTE: UNANIMOUS FOR**

#### **VII - PUBLIC COMMENT**

Andrew Guthrie came to the meeting because he was under the impression that the Board was discussing parking and loading zones. He also commented on the condition of the lettered streets. He said that he is glad he has a Sports Utility Vehicle rather than a regular car because it would make it very difficult to travel along. He also commented on the fire station. He believes that the Board should decide on a design before it goes to the voters.

Richard Reniere came to the Board to express his views on the public safety pier and Article 28 (retention of the fire boat). Mr. Reniere said that at the Deliberative Session Chief Lipe presented some strong arguments to why the Hampton rescue boat is needed, such as Hampton EMS responding to car accidents on state highways. He said that the ocean may be the State's jurisdiction and the job of the Coast Guard to respond, however most residents are aware that this is not likely to happen. The Coast Guard's main focus is homeland security, not responding to drowning victims off Hampton Beach. Mr. Reniere said that since the Town cannot depend on the Coast Guard to respond it is the Town's burden. He feels that the rescue boat is necessary for the Town to act responsibly. Mr. Reniere said that the mission of the fire department is to protect life and property and that using the boat during ocean rescues is a great way to protect life. Mr. Barrington clearly stated that the direct appropriation of funds for the construction of the pier will be administered by the National Oceanic Atmospheric Administration (NOAA) which is a federally funded program. He believes that Hampton should benefit from these funds and have the pier built and the boat maintained.

#### **VIII. ADJOURNMENT**

**Mr. Moore MOTIONED** to adjourn the meeting at 8:10 PM. **Mrs. Bridle-Russell SECONDED.**  
**VOTE: UNANIMOUS FOR**

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Chairman